

RESOLUTION NO. 2016-14

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SCOTIA COMMUNITY SERVICES DISTRICT ACCEPTING THE PROPOSITION 218 RESULTS FOR A WATER USER FEE

WHEREAS, the Board of Directors (“Board”) of the Scotia Community Services District (“District”) has by previous resolutions initiated a protest ballot proceeding and declared its intention to levy a property-related user fee (“User Fee”) for water services pursuant to Government Code Section 61123, commencing fiscal year 2016-17; and

WHEREAS, a Water User Rate Analysis and Recommendations report was prepared for the proposed User Fee, and the Board accepted the report by motion at the April 21, 2016 Board meeting; and

WHEREAS, in accordance with the provisions of Article XIID of the California Constitution and Article 4.6 of the California Government Code, the Board conducted a property owner protest ballot proceeding for the proposed User Fee to be levied on properties within the District; and

WHEREAS, the notice and ballot mailed to each property owner of record clearly identified the reason for the proposed user fee, the basis upon which the proposed user fee was calculated, and the proposed rate structures for water customers, commencing fiscal year 2016-17; and

WHEREAS, on June 16, 2016, the Board conducted a properly noticed public hearing regarding the proposed User Fee, and considered any oral and written statements, protests and communications made or filed by interested persons regarding these matters; and

WHEREAS, all ballots submitted prior to the close of the public hearing, counted on a one protest per parcel basis, were tabulated by the Board Clerk; and

WHEREAS, the votes cast in favor and against the user fees were 2 and 7, respectively.

NOW, THEREFORE, BE IT RESOLVED that a majority protest exists and therefore the proposed Water User Fee shall not be imposed by the Board of Directors of the Scotia Community Services District.

BE IT FURTHER RESOLVED that the ballots shall be treated as public records and shall be preserved for a minimum of two years, after which they may be destroyed as provided in Government Code Sections 26202, 34090, and 60201.


PASSED, APPROVED AND ADOPTED on the 23rd day of June, 2016, by the following vote of the governing body:

APPROVED:



Rick Walsh, Board President, Scotia CSD

ATTEST:



Board Clerk, Scotia CSD

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2016-14, passed and adopted at a special meeting of the Board of Directors of the Scotia Community Service District, County of Humboldt, State of California, held on the 23rd day of June, 2016, by the following vote:

AYES: Bristol, Mcknight, Newmaker, Pryor, Walsh

NOES: ∅

ABSENT: ∅

ABSTENTIONS: ∅


Board Clerk, Scotia CSD